

REMARKS

Status of the claims

Claims 1-14 were previously pending in the application. Claims 1-14 were rejected in the Office Action dated July 5, 2006. Claim 5 is cancelled without prejudice. Independent Claims 1, 7 and 13 are amended. The amendments are supported by the specification. No new matter has been added.

Applicant respectfully submits that any amended claim(s) and or supporting remarks have overcome the basis for all rejection(s) and or objection(s) and place this application and all pending claims in condition for allowance. Accordingly, applicant respectfully requests allowance, and reconsideration of the rejection(s) and or objection(s).

Objections and Amendment to the drawings

In the Office Action dated July 5, 2006, the drawings were objected to under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claim. In particular, the Office Action stated that the protective covers were missing from the originally submitted drawings.

Corrected "Replacement Sheets" reflecting the "protective cover 25" are submitted herewith in compliance with 37 CFR 1.121(d). The attached replacement sheets of drawings include changes to Figs. 1, 2, and 5. These sheets replace the original sheets including Figs. 1, 2, and 5. In the replacement sheets, previously omitted element "the protective cover 25" has been added respectively. No new matter has been added.

Amendment to the Specification

The Specification has been amended to designate the "protective cover" as reference numeral 25 to reflect amendments to the drawings. No new matter has been added.

Rejections and Amendments to the Claims

Claims 1-14 were rejected under 35 USC 103(a) as being unpatentable over Colting, US 5,125,177 in view of Vicino, US Re 33,709. Claim 5 is cancelled without prejudice, thereby rendering the rejection directed at this claim moot. Independent Claims 1, 7 and 13 are amended. The amendments to the claims are supported by the specification (*see, e.g.*, Ins. 5-12, pg. 3, and Ins. 1-5, pg. 6 of the Specification) . Applicant submits the amended claims, and claims which depend therefrom, are patentably distinct from the cited references considered separately or in combination.

Amended Independent claim 1 recites, *inter alia*:

“A cold-air inflatable display comprising:
a permeable fabric forming an inflatable figure with a hollow body;
an interchangeable fan assembly for continuously-blowing air into said hollow body, said **fan assembly comprising at least one fan, a housing for said fan secured to a standard-sized fabric** having a male securing device disposed along a border of said standard-sized fabric for receipt by a female securing device disposed along a border of a receiving opening **joining said fan assembly to said permeable fabric through said receiving opening positioned on said hollow body above a surface-touching bottom** to allow optimum airflow through said fan into said hollow body;
a lighting arrangement extending through an interior portion of said hollow body, ...; and
a second power cord extending from said fan for connection to a power source;
wherein **said interchangeable fan assembly is a lightweight assembly secured to said permeable fabric above said surface-touching bottom of each hollow body without a base support and without distorting said figure when said cold-air inflatable display is inflated.**”

(Emphasis supplied). Applicant submits that the cited references, combined or alone, fail to teach, disclose or suggest the elements recited in amended Claim 1, or any of the similarly amended independent Claims 7 and 13, or the claims which depend therefrom. The emphasized claim elements are discussed in detail below as clear points of patentable distinction over the cited references.

Neither the cited Colting reference, nor the cited Vicino reference, teach, disclose or suggest separately or in combination an interchangeable, lightweight fan assembly secured to a permeable fabric of an inflatable display above the surface-touching bottom of the display without a base support and without distorting the shape of the display when it is inflated. Colting discloses a multi-piece inflatable device with a base portion 12 containing an inflating power blower 25, and an inflatable flexible top portion 14 inflatably attached to the compact base portion. Colting specifically teaches that the base portion “*contains* an electrically powered blower 25 having an inlet 18. The blower 25 receives air from the inlet 18 and discharges it through outlet 27 into the interior of the base portion 12 at a pressure above the ambient pressure surrounding the inflatable 10.” (Emphasis supplied). (Colting, col. 2, lns. 11-16).

Moreover, Colting specifically teaches away from securing an interchangeable fan assembly to the fabric of the flexible inflatable as opposed to positioning the blower within the compact base. For example, Colting states (col. 3, lns. 16-24):

The base portion 12 of the inflatable of FIG. 5 acts as a storage container within which the top portion 14 may be collapsed when the inflatable is not in use. The pail may further be provided with a lid for closing the pail and a handle 32 for carrying the pail. Such a configuration is desirable in that it is very compact and the pail acts to protect the flexible portion of the inflatable during shipping and storage.

By contrast, the interchangeable fan assembly recited in independent Claim 1 employs a lightweight fan assembly joined to the “permeable fabric . . . above a surface-touching bottom” of the display “without a base support and without distorting said figure when said cold-air inflatable display is inflated.” There is no teaching, disclosure or suggestion in Colting to use a lightweight blower secured to the permeable fabric of a flexible inflatable portion positioned above a surface-touching bottom to inflate the inflatable device without a base support and without distorting the shape of the inflatable device.

Vicino fails to remedy this deficiency. There is absolutely no teaching, disclosure or suggestion in Vicino of such a lightweight interchangeable fan assembly. Vicino simply discloses a “squirrel-cage blower 21 installed on the floor of the chamber 6” (col. 2, lns. 49-50). As both Colting and Vicino fail to disclose at least “said fan assembly is of a lightweight to be elevated above the ground without a base support and without distorting the shape of said hollow body when said cold-air inflatable display is inflated,” the cited references fail to teach, disclose or suggest all the recited elements of the asserted claims. Similar analyses apply to dependent claims of independent Claim 1, as well as independent Claims 7 and 13, and claims depending therefrom.

Finally, Applicant submits that there is no teaching, suggestion or motivation to combine the cited references to arrive at the current invention. As stated in MPEP §2134.01(I), even if “[t]he combination of the references taught every element of the claimed invention, however without a motivation to combine, a rejection based on a *prima facie* case of obvious was held improper.” *MPEP §2134.01(I)* citing *In re Rouffet*, 149 F.3d 1350, 1357, (Fed. Cir. 1998). Applicant submits that there is no motivation, teaching or suggestion to combine the woven fabric of Vicino with Colting to create a display wherein a lightweight blower is secured to the fabric of a flexible inflatable portion positioned above a surface-touching bottom to inflate the inflatable device without a base support and without distorting the shape of the inflatable device. Indeed, Colting teaches away from such a display by teaching a compact base portion containing the blower within which the flexible portion may be collapsed. (If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *See MPEP §2143.01(V)*, citing

In re Gordon, 733 F.2d 900, 221 USPQ 1125(Fed. Cir. 1984)). Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Applicant respectfully requests reconsideration in view of the foregoing amendments and remarks. Further, Applicants respectfully submits that the claims as presented herein are allowable over the art of record and that the application is in condition for allowance, which action is earnestly solicited.

The Examiner is invited to contact the undersigned at the telephone number below, should that in anyway facilitate prosecution.

Applicant believes no fee nor extension of time is required for this filing. However, should an extension of time be necessary to render this filing timely, such extension is hereby petitioned and the Commissioner is hereby authorized to charge any additional fees which may be required for this paper, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 4600-4001.

Respectfully submitted,
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